

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

ALEXANDER L. BAXTER )  
 )  
v. ) NO. 3:06-0010  
 ) JUDGE CAMPBELL  
ATU DIRECTOR BOOBY ALYWARD, )  
et al. )

ORDER

Pending before the Court is a Report and Recommendation of the Magistrate Judge (Docket No. 34), to which no Objections have been filed. The Court has reviewed the Report and Recommendation and the file. The Report and Recommendation is adopted and approved.

Accordingly, Defendants' Motion for Summary Judgment (Docket No. 27) is GRANTED, and this action is DISMISSED. The pretrial conference set for February 5, 2007, and the trial set for February 20, 2007, are canceled. This Order shall constitute the judgment in this case pursuant to Fed. R. Civ. P. 58.

Any appeal of this Order would not be taken in good faith. 28 U.S.C. § 1915(a)(3). Therefore, the Plaintiff is not certified to pursue an appeal in forma pauperis. Id.

IT IS SO ORDERED.

Todd Campbell  
TODD J. CAMPBELL  
UNITED STATES DISTRICT JUDGE